



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )  
Yamazaki et al. )  
Serial No.: 09/544,801 )  
Filed: April 7, 2000 )  
For: Semiconductor Device And )  
Method For Fabricating The Same )  
Art Unit: 2826 )  
Examiner: N. Flynn )  
  
Commissioner for Patents  
Washington, D.C. 20231

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Mark J. Murphy  
Date: 4-18-02

April 16, 2002

**ELECTION**

Sir:

In response to the Restriction Requirement of February 22, 2002, a one month extension of time being separately requested, Applicants elect to prosecute Embodiment I described on pages 9-20. Applicants believe that all of the independent claims (i.e. Claims 1, 10, 19, 28, 40 and 52) are readable thereon and all of the remaining claims (i.e. Claims 1-63) are also readable thereon.

Applicants are making this election without prejudice to later filing a divisional application on the non-elected species.

Respectfully submitted,

Date: April 18, 2002

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